

**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
SUPERIOR COURT**

Merrimack Superior Court  
5 Court Street  
Concord NH 03301

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**NOTICE OF DECISION**

**FILE COPY**

Case Name: **In the Matter of the Winding Down of: The New Hampshire Medical  
Malpractice Joint Underwriting Association**  
Case Number: **217-2015-CV-00347**

Please be advised that on May 21, 2019 Judge McNamara made the following order relative to:

Receiver's Motion for Approval of Transfer of Remaining Hardship Fund to Endowment for Health  
Pursuant to RSA 404-C:16, III

"Granted."

Order Approving Transfer of Remaining Hardship Fund Pursuant to RSA 404-C:16, III

"So Ordered."

copy attached

May 23, 2019

Catherine J. Ruffle  
Clerk of Court

(485)

C: J. Christopher Marshall, ESQ; Daniel John Mullen, ESQ; W. Scott J. O'Connell, ESQ; Kevin M.  
Fitzgerald, ESQ; Eric A. Smith, ESQ; J. David Leslie, ESQ

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

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IN THE MATTER OF THE WINDING DOWN OF: )  
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)  
THE NEW HAMPSHIRE MEDICAL MALPRACTICE )  
JOINT UNDERWRITING ASSOCIATION )  
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No. 217-2015-CV-00347

~~[PROPOSED]~~

**ORDER APPROVING TRANSFER OF REMAINING  
HARDSHIP FUND PURSUANT TO RSA 404-C:16, III**



On consideration of the motion of John R. Elias, Insurance Commissioner of the State of New Hampshire, as Receiver (“Receiver”) of the New Hampshire Medical Malpractice Joint Underwriting Association (“NHMMJUA”), for approval of the transfer of the remaining hardship fund to Endowment for Health, Inc. (“Endowment for Health”) pursuant to RSA 404-C:16, III, it is hereby ORDERED as follows:

1. The Receiver's Motion for Approval of Remaining Hardship Fund to Endowment for Health pursuant to RSA-404-C:16, III is granted.
2. The Receiver shall transfer the remaining hardship fund of \$1,950,395 to Endowment for Health, previously approved as the charitable organization that promotes aid to health care providers servicing medically underserved populations to receive the amount remaining in the hardship fund by the Order Approving Charitable Organization to Receive Transfer of Remaining Hardship Fund dated October 16, 2018.
3. The transferred fund shall be held by the Endowment for Health in its permanent fund, the income only to be used to promote aid to health care providers servicing medically underserved populations.

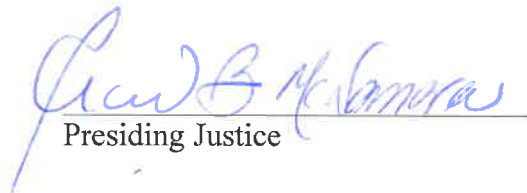
4. Upon transfer of the \$1,950,395 to Endowment for Health, the Receiver is discharged from any responsibility for the transferred funds. The Receiver (including the Special Deputy Commissioner and the Receiver's consultants, agents, and attorneys) shall have no obligations or liabilities with respect to the transferred funds.

5. Upon transfer of the funds to Endowment for Health, those funds shall not be part of the NHMMJUA estate, and they are transferred free and clear of any rights of the NHMMJUA, the Receiver, or the NHMMJUA's creditors. All claims against the NHMMJUA or the Receiver are limited to and may only be satisfied from the assets remaining in the NHMMJUA estate.

So Ordered.

Dated:

5/21/19

  
Presiding Justice

**RICHARD B. MCNAMARA**  
**PRESIDING JUSTICE**